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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/575,824	06/15/2007	John Tucker	03-899-E	5160
	7590 04/06/201 BOEHNEN HULBER	EXAMINER		
300 S. WACKER DRIVE			KUMAR, SHAILENDRA	
32ND FLOOR CHICAGO, IL 60606			ART UNIT	PAPER NUMBER
			1621	
			MAIL DATE	DELIVERY MODE
			04/06/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

1)⊠ Responsive to communication(s) filed on 15 June 2007. 2a)☐ This action is FINAL. 2b)☐ This action is non-final. 3]☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4]☑ Claim(s) 1-18 Is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5]☐ Claim(s) is/are allowed. 6]☐ Claim(s) is/are objected to. 8]☑ Claim(s) 1-18 are subject to restriction and/or election requirement. Application Papers 9]☐ The specification is objected to by the Examiner. 10)☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12]☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)☐ All b)☐ Some * c)☐ None of: 1.☐ Certified copies of the priority documents have been received in Application No 3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received.		Application No.	Applicant(s)					
SHAILENDRA KUMAR 1621 16	Office Action Summers	10/575,824	TUCKER, JOHN					
The MALLING DATE of this communication appears on the cover sheet with the correspondence address → Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Leateness of time may be evaluated under the provision of 37 CH1 1-130(a). In no event however, may a reply be timely litted ### 15 NO period for reply is appeciated above. Bit maximum setators provided will apply and will expire 3K (8) MONTHS from the manifest date of this communication, even if timely thind, may reduce any actual of plant times applicance in the communication is provided by the set of the communication, even if timely thind, may reduce any actual of plantine management. Set 27 CH1 1-170(1) ### 17 No period for reply is appeciated above. Bit maximum setators provided will apply and will expire 3K (8) MONTHS from the manifestation. ### 18 Page 10 P	Office Action Summary	Examiner	Art Unit					
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Art Unit: 1621

Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-12 and 17-18, drawn to compounds, composition and method of use, when the compounds are non heterocyclic.

Group II, claim(s) 1-12 and 17-18, drawn to compounds, composition and method of use, when the compounds are heterocyclic.

Group III, claim(s) 13, drawn to carboxamide compound intermediate.

Group IV, claim(s) 14, drawn to epoxide intermediate.

Group V, claim(s) 15, drawn to carbamate intermediate.

Group VI, claim(s) 16, drawn to nitrile intermediate.

The inventions listed as Groups I-VI do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: they are structurally dissimilar compounds and thus lack the same or corresponding technical feature. Additionally, compounds of Group II-VI are not novel, see the document WO 03/029,169, page 82, line 8 - page 83, line 23) which discloses already the preparation of intermediates disclosed in claims 14 - 16.

In view of the complex nature of the restriction requirement, a written restriction requirement has been made

Additionally, applicant need to elect a single disclosed species for the examination, if they elect Group I or Group II, and the claims will be examined to the extent they read on the elected species and closely related compounds. Also,

applicants should identify as to which claims read on the elected species.

Applicants is also required to elect single method of treatment for Group I or

Group II.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHAILENDRA KUMAR whose telephone number is (571)272-0640. The examiner can normally be reached on M-F, 7:30AM-5:00PM, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Sullivan can be reached on 571-272-0779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Art Unit: 1621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

S. Kumar 4/1/10

/SHAILENDRA KUMAR/ Primary Examiner, Art Unit 1621